

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

REQUEST FOR FILING NATIONAL PHASE OF  
PCT APPLICATION UNDER 35 U.S.C. 371 AND 37 CFR 1.494 OR 1.495To: The Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231(Our Deposit Account No. 03-3975  
(Our Order No. 133 / 216764  
C# / M#TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)(Atty. Dkt. 216764 / 25364-33479FA/MIS  
M# / Client Ref.

From: Cushman Darby &amp; Cushman

Date: October 26, 1994This is a **REQUEST** for **FILING** a PCT/USA National Phase Application based on:

1. International Application | 2. International Filing Date | 3. Earliest Priority Date Claimed

PCT/ SE93 / 00375 | 28 April 1993 | 28 April 1992  
↑ country code | Day MONTH Year | Day MONTH Year

(use item 2 if no earlier priority)

4. Measured from the earliest priority date in item 3, this PCT/USA National Phase Application Request is being filed within:

(a)  20 months from above item 3 date (b)  30 months from above item 3 date,(c) Therefore, the due date (unextendable) is October 28, 19945. Title of Invention PROTEIN L AND HYBRID PROTEINS THEREOF6. Inventor(s) BJORCK, Lars et al

Applicant herewith submits the following under 35 U.S.C. 371 to effect filing:

7.  Please immediately start national examination procedures (35 U.S.C. 371(f)).8.  A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is transmitted herewith (file if in English but, if in foreign language, file only if not transmitted to PTO by the International Bureau) including:

- a.  Request;
- b.  Abstract;
- c. \_\_\_\_\_ pgs. Spec. and Claims;
- d. \_\_\_\_\_ sheet(s) Drawing which are  informal  formal of size  A4  13"  14"

9.  A copy of the International Application has been transmitted by the International Bureau.

10. A translation of the International Application into English (35 U.S.C. 371(c)(2))

- a.  is transmitted herewith including: (1)  Request; (2)  Abstract;

(3) 48 pgs. Spec. and Claims;(4) 18 sheet(s) Drawing which are:[  ] informal [  ] formal of size [  ] A4 [  ] 13" [  ] 14"

- b.  is not required, as the application was filed in English.

- c.  is not herewith, but will be filed when required by the forthcoming PTO Missing Requirements Notice per Rule 494(c) if box 4(a) is X'd or Rule 495(c) if box 4(b) is X'd.

- d.  Translation verification attached (not required now).

11.  Amendments to the claims\* of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)), i.e., b f r 18th m nth in first priority date above in Item 3, are transmitted h r with (fil If in English but, If in f r ign languag , file only If n t transmitted by th Int rnatl nal Bureau) Including:

12.  PCT Article 19 claim amendments (if any) have been transmitted by the International Bureau.

13.  Translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)), i.e., f claim amendments made before 18th month, is attached (required by 20th m nth from th date in Item 3 If box 4(a) above is Xtd, or 30th month If box 4(b) is Xtd, or else amendments will be considered cancelled).

14. **A d claration of the Inventor (35 U.S.C. 371(c)(4))**  
 a.  is submitted herewith  Original  Facsimile/Copy  
 b.  is not herewith, but will be filed when required by the forthcoming PTO Missing Requirements Notice per Rule 494(c) if box 4(a) is X'd or Rule 495(c) if box 4(b) is X'd.

15. **An International Search Report (ISR):**  
 a. Was prepared by  European Patent Office  Japanese Patent Office  Other  
 b.  has been transmitted by the International Bureau to PTO.  
 c.  copy herewith (2 pg(s).)  plus Annex of family members (1 pg(s).)

16. **International Preliminary Examination Report (IPER):**  
 a.  has been transmitted (if this letter is filed after 28 months from date in item 3) in English by the International Bureau with Annexes (if any) in original language.  
 b.  copy herewith in English  
 c.1  IPER Annex(es) in original language ("Annexes" are amendments made to claims/spec/drawings during Examination) including attached amended:  
 c.2  Specification/claim pages # 41 - 47  Drawing Sheets # \_\_\_\_\_  
 c.3  Which resulted in cancellation of pages # 42 - 48 Dwg Sheets # \_\_\_\_\_  
 d.  Translation of Annex(es) to IPER (required by 30th month due date, or else annexed amendments will be considered cancelled).

17. **Information Disclosure Statement including:**  
 a.  Attached Form PTO-1449 listing documents  
 b.  Attached copies of documents listed on Form PTO-1449  
 c.  A concise explanation of relevance of ISR references is given in the ISR.

18.  Assignment document and Cover Sheet for recording are attached. Please mail the recorded assignment document back to the person whose signature, name and address appear at the end of this letter.

19.  Copy of Power to IA agent.

20.  Drawings: \_\_\_\_\_ sheet(s) per set:  1 set informal;  Formal of size  A4  13"  14"

21.  2 (No.) **Verified Statement(s)** establishing "small entity" status under Rules 9 & 27

22. Priority is hereby claimed under 35 U.S.C. 119/365 based on the priority claim and the certified copy, both filed in the International Application during the international stage based on the filing in (country) SWEDEN of:

<u>Application No.</u>	<u>Filing Date</u>	<u>Application No.</u>	<u>Filing Date</u>
(1) <u>9201331-7</u>	<u>April 28, 1992</u>	(4) _____	_____
(2) _____	_____	(5) _____	_____
(3) _____	_____	(6) _____	_____

a.  See Form PCT/IB/304 sent to US/DO with copy of priority documents  
 b.  Copy of Form PCT/IB/304 attached.

23. Attached: Receipt of the Deposit of Microorganisms

24. Preliminary Amendment:

24.5 Per item 16.c3, canc 1 original pages # \_\_\_\_\_, Drawing Sheets # \_\_\_\_\_25. Calculation of the U.S. National Fee (35 U.S.C. 371 (c)(1)) and other fees is as follows:based on amended claim(s) per above item(s) [ ] 11, [ ] 13, [ ] 16, [ ] 24 (hilite)

			Large/Small Entity	Fee Code
TOTAL EFFECTIVE CLAIMS	22	- 20 =	* 2 x \$ 22/\$11 = \$ 22.00	(966/967)
INDEPENDENT CLAIMS	1	- 3 =	* 0 x \$ 76/\$38 = \$ _____	(964/965)

\*If answer &lt;0, enter "0"

If any proper (ignore improper) MULTIPLE DEPENDENT CLAIM is present, ----- add \$240/\$120 + 120.00 (968/969)BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(4)) :>>>> BASIC FEE REQUIRED, NOW <<<<A. If country code letters in item 1 are not "US, "BR" or "BB" and (see item 15a)

1. Search Report was <u>not</u> prepared by EPO or JPO ----- add \$980/\$490 + <u>490.00</u> (960/961)
2. Search Report was prepared by EPO or JPO ----- add \$850/\$425 + _____ (970/971)

SKIP B, C, D AND E UNLESS country code letters in Item 1 are "US", "BR" or "BB"

-> [ ] B. If neither international search fee nor international preliminary examination fee was paid to USPTO, ----- add \$980/\$490 + \_\_\_\_\_ (960/961)

( X )  
( only ) -> [ ] C. If international search fee was paid to USPTO  
( one ) but not international preliminary examination fee, ----- add \$730/\$365 + \_\_\_\_\_ (958/959)  
( of )

(these)-> [ ] D. If international preliminary examination fee was paid to  
( 4 ) USPTO ----- add \$660/\$330 + \_\_\_\_\_ (956/957)  
(boxes)

-> [ ] E. If international preliminary examination fee was paid to  
to USPTO and Rules 492(a)(4) and 496(b) satisfied, ----- add \$ 92/\$46 + \_\_\_\_\_ (962/963)

26. SUBTOTAL = \$ 632.0027. If Assignment box 18 above is X'd, add Assignment Recording fee of ----- \$40.00 + 40.00 (581)28. Attached is a check to cover the ----- TOTAL FEES \$ 672.00

**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 and 492 (missing or insufficient fee only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached.

This **CHARGE STATEMENT** does not authorize charge of the Issue fee until/unless an issue fee transmittal form is filed.

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NOTE: File in duplicate with 2 postcard receipts (CDC-103) & attachments.